

IN RE: PETITION FOR ZONING VARIANCE
 3475 Klisterman Avenue, 650' SE of the C/O of Belair Road 11th Election District 5th Councilmanic District
 Columbus Club of Overlea, Inc. Petitioner

BEFORE THE
 DEPUTY ZONING COMMISSIONER
 OF BALTIMORE COUNTY
 Case No. 88-428-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to permit 251 parking spaces in lieu of the required 324 spaces, as more particularly described in Petitioner's Exhibit 1.

The Petitioner, by its Counsel, Philip L. Asplen, Jr., Esquire, appeared and testified. Also appearing on behalf of the Petition were August Plitt, an Architect, and Edward Walsh, a Landscape Engineer. There were no Protestants.

Testimony indicated that the subject property, zoned D.R. 5.5, is located on Klisterman Avenue off of Belair Road and contains approximately 10 acres. A special exception for a community building was granted on June 9, 1986 in Case No. 86-494-X. Mr. Plitt, a recent member of the Columbus Club of Overlea, Inc., testified that due to the proposed use of the building, strict application of the parking requirements would result in an excessive number of parking spaces and unnecessary paving. All witnesses testified that the community building will be constructed so that a portion of it will be used as a hall with the capacity for 500 people. The other portion will provide a meeting area for the Petitioner and the Cardinal Gibbons' Knights of Columbus Council with a capacity of 150 to 200 persons. In no instance will the hall and meeting area be used simultaneously. Messrs. Plitt and Walsh both testified that paving for the 251 parking spaces (in lieu of the required 324) will help storm water management efforts and permit the property to remain more open and residential in character. The witnesses indicated that in the unlikely event that addition-

AUGUST V. PLITT, P.A.
 Architects
 12100 Belair Road
 Post Office Box 308
 Kingwood, Maryland 21087
 (301) 992-5303

November 30, 1987

Mr. Arnold Jablon
 Zoning Commissioner
 Baltimore County Office Building
 Towson, Maryland 21204

Re: Petition For Special Exception
 Case No. 86-494-X
 The Columbus Club of Overlea, Inc.

Dear Mr. Jablon:

As Architects for the above referenced project, we have been able to conclude the following facts as our work for the Columbus Club of Overlea has progressed.

1. The original scheme was to build approximately twelve thousand (12,000) square feet of structure as phase one and add approximately six thousand (6,000) square feet as future addition, all as shown on the drawing originally submitted, approved and attached herewith.
2. By constructing the total required structure now, an approximately sixteen thousand (16,000) square foot building will be required, this represents a structure two thousand (2,000) square feet smaller.

The building use will be primarily a private facility for the use and benefit of its membership but with public attendance at certain function, such as Dances, Bingo, Bull Roast, etc. and a private, members area for meetings, socializing and leisure time activities.

The organization's rules of order prohibit the use of the Rathskeller or Hall when meetings are in progress and no dance, bull roast, or publically attended affair, including parties and/or receptions, may be in progress during "Council Only" meetings or affairs.

The required parking allocation of one car per fifty square foot of building area in this unique set of circumstances seems unfair since the entire building areas may not be in use simultaneously.

We would request that paved parking for 250 cars be required and in the remote possibility additional parking would be needed, parking in an on-site unpaved overflow area be allowed.

al parking was occasionally required, the cars could either be stacked or parked on the grass area adjoining the parking lot. The witnesses pointed out that there is more than ample space on the grounds for any overflow of parking.

Counsel for the Petitioner agreed that if after the building is in operation and there is inadequate parking available, Petitioner will take the necessary steps to provide the required number of parking spaces, if ordered to do so, in accordance with the Baltimore County Zoning Regulations (B.C.Z.R.).

The Petitioner seeks relief from Section 409.2 (6) pursuant to Section 307 of the B.C.Z.R.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property.

McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance was granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public good.

After due consideration of the testimony and evidence presented, it is clear that a practical difficulty or unreasonable hardship would result if the variance was not granted. It has been established that the requirement from which the Petitioner seeks relief would unduly restrict the use of the land due

ORDER RECEIVED FOR FILING
 Date 11/30/87
 By [Signature]

ORDER RECEIVED FOR FILING
 Date 11/30/87
 By [Signature]

to the special conditions unique to this particular parcel. In addition, the variance requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted, with restrictions as more fully described below.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 21st day of May, 1988 that the Petition for Zoning Variance to permit 251 parking spaces in lieu of the required 324 spaces, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2) The hall and meeting area use shall not be simultaneous or overlap.
- 3) In the event the Zoning Commissioner's Office notifies the Petitioner and/or the then property owner at a later date that it appears there is inadequate parking, the Petitioner and/or the then property owner shall file a Petition for Special Hearing and present evidence that the parking provided at that time is adequate.
- 4) The variance granted herein is with the understanding that, if inadequate parking is found to exist after a subsequent public hearing, the Petitioner and/or the then property owner may be ordered to provide the number of parking spaces as required under the zoning regulations in effect at that time.

ARM:bjjs
 ARN P. BASTARACHE
 Deputy Zoning Commissioner
 of Baltimore County

THE COLUMBUS CLUB OF OVERLEA, INC.
 KNIGHTS OF COLUMBUS COUNCIL HOME

DESCRIPTION OF PARCEL TO
 ACCOMPANY PETITION FOR SPECIAL EXCEPTION

Begin at a point on the southwest side of Klisterman Avenue and proceed along the following courses:

1. S 50° - 08' - 29" E .888'
2. S 45° - 42' - 42" W 374.29'
3. N 60° - 12' - 30" W 892.85'
4. N 32° - 36' - 09" E 532.67' to the point of beginning

Total area of parcel 10.0 acres of land, more or less.

"DUPLICATE" CERTIFICATE OF PUBLICATION

TOWSON, MD. March 31, 1988
 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, MD, appearing on March 31, 1988

THE JEFFERSONIAN,

Susan Sanders Shultz
 Publisher

NOTICE OF HEARING
 The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations, has ordered a public hearing on the petition for a special exception to the Zoning Regulations of Baltimore County, Case No. 88-428-A, for the proposed use of the property at 3475 Klisterman Avenue, 650' SE of the C/O of Belair Road, 11th Election District, 5th Councilmanic District, for a community building, to be held on Tuesday, April 19, 1988, at 7:00 p.m. at the County Office Building, 10000 Belair Road, Towson, Maryland 21204. The hearing will be held in Room 108, County Office Building, Towson, Maryland 21204. The hearing will be held in Room 108, County Office Building, Towson, Maryland 21204. The hearing will be held in Room 108, County Office Building, Towson, Maryland 21204.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 11th Date of Posting: 4/18/88
 Posted for: Variance
 Petitioner: Columbus Club of Overlea, Inc.
 Location of property: 3475 Klisterman Ave. 650' SE of Belair Rd.
 Location of Sign: 3475 Klisterman Ave. 650' SE of Belair Rd.
 Remarks: [Signature]
 Posted by: [Signature] Date of return: 4/18/88
 Number of Signs: 2

PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 409.2 (6) of the B.C.Z.R. to permit 251 parking spaces in lieu of the required 324 spaces.

MAP NO. 9C
 4C
 DATE 7/27/87
 1000
 1000
 1000

See Attached Letter
 Dated Nov. 30, 1987
 To Mr. Arnold Jablon
 Zoning Commissioner

Property is to be posted and advertised as prescribed by Zoning Regulations.
 I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of the petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
 (Type or Print Name)
 Signature
 Address
 City and State

Legal Owner(s):
 COLUMBUS CLUB OF OVERLEA, INC.
 (Type or Print Name)
 Signature
 Address
 City and State

Attorney for Petitioner:
 Philip L. Asplen, Jr.
 (Type or Print Name)
 Signature
 Address
 City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted:
 CHARLES J. ZORBACH, SR.
 Name
 Address
 City and State

Attorney's Telephone No.: (301) 552-1703
 Address
 City and State

ORDERED By The Zoning Commissioner of Baltimore County, this 1st day of December, 1987, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 19th day of April, 1988, at 7:00 o'clock P.M.

ESTIMATED LENGTH OF HEARING - 1/2 HR.
 NON-ADJUDICATED - NEXT TWO MONTHS
 REVIEWED BY: CLK DATE 11/30/87

NOTICE OF HEARING
 The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations, has ordered a public hearing on the petition for a special exception to the Zoning Regulations of Baltimore County, Case No. 88-428-A, for the proposed use of the property at 3475 Klisterman Avenue, 650' SE of the C/O of Belair Road, 11th Election District, 5th Councilmanic District, for a community building, to be held on Tuesday, April 19, 1988, at 7:00 p.m. at the County Office Building, 10000 Belair Road, Towson, Maryland 21204. The hearing will be held in Room 108, County Office Building, Towson, Maryland 21204. The hearing will be held in Room 108, County Office Building, Towson, Maryland 21204.

CERTIFICATE OF PUBLICATION Office of THE AVENUE NEWS

THIS IS TO CERTIFY, that the annexed advertisement of POB 90738 BELM 11874 TO ADVERTISE PETITION FOR ZONING VARIANCE TO PERMIT 251 PARKING SPACES IN LIEU OF THE REQUIRED 324 SPACES, was published in THE AVENUE NEWS, a weekly newspaper published in Baltimore County, Maryland once a week for successive weeks) before the 1st day of April, 1988, that is to say, the same was inserted in the issues of 3/27/88, 3/28/88, 3/29/88, 3/30/88, 3/31/88, 4/1/88, 4/2/88, 4/3/88, 4/4/88, 4/5/88, 4/6/88, 4/7/88, 4/8/88, 4/9/88, 4/10/88, 4/11/88, 4/12/88, 4/13/88, 4/14/88, 4/15/88, 4/16/88, 4/17/88, 4/18/88, 4/19/88, 4/20/88, 4/21/88, 4/22/88, 4/23/88, 4/24/88, 4/25/88, 4/26/88, 4/27/88, 4/28/88, 4/29/88, 4/30/88, 5/1/88, 5/2/88, 5/3/88, 5/4/88, 5/5/88, 5/6/88, 5/7/88, 5/8/88, 5/9/88, 5/10/88, 5/11/88, 5/12/88, 5/13/88, 5/14/88, 5/15/88, 5/16/88, 5/17/88, 5/18/88, 5/19/88, 5/20/88, 5/21/88, 5/22/88, 5/23/88, 5/24/88, 5/25/88, 5/26/88, 5/27/88, 5/28/88, 5/29/88, 5/30/88, 5/31/88, 6/1/88, 6/2/88, 6/3/88, 6/4/88, 6/5/88, 6/6/88, 6/7/88, 6/8/88, 6/9/88, 6/10/88, 6/11/88, 6/12/88, 6/13/88, 6/14/88, 6/15/88, 6/16/88, 6/17/88, 6/18/88, 6/19/88, 6/20/88, 6/21/88, 6/22/88, 6/23/88, 6/24/88, 6/25/88, 6/26/88, 6/27/88, 6/28/88, 6/29/88, 6/30/88, 7/1/88, 7/2/88, 7/3/88, 7/4/88, 7/5/88, 7/6/88, 7/7/88, 7/8/88, 7/9/88, 7/10/88, 7/11/88, 7/12/88, 7/13/88, 7/14/88, 7/15/88, 7/16/88, 7/17/88, 7/18/88, 7/19/88, 7/20/88, 7/21/88, 7/22/88, 7/23/88, 7/24/88, 7/25/88, 7/26/88, 7/27/88, 7/28/88, 7/29/88, 7/30/88, 7/31/88, 8/1/88, 8/2/88, 8/3/88, 8/4/88, 8/5/88, 8/6/88, 8/7/88, 8/8/88, 8/9/88, 8/10/88, 8/11/88, 8/12/88, 8/13/88, 8/14/88, 8/15/88, 8/16/88, 8/17/88, 8/18/88, 8/19/88, 8/20/88, 8/21/88, 8/22/88, 8/23/88, 8/24/88, 8/25/88, 8/26/88, 8/27/88, 8/28/88, 8/29/88, 8/30/88, 8/31/88, 9/1/88, 9/2/88, 9/3/88, 9/4/88, 9/5/88, 9/6/88, 9/7/88, 9/8/88, 9/9/88, 9/10/88, 9/11/88, 9/12/88, 9/13/88, 9/14/88, 9/15/88, 9/16/88, 9/17/88, 9/18/88, 9/19/88, 9/20/88, 9/21/88, 9/22/88, 9/23/88, 9/24/88, 9/25/88, 9/26/88, 9/27/88, 9/28/88, 9/29/88, 9/30/88, 10/1/88, 10/2/88, 10/3/88, 10/4/88, 10/5/88, 10/6/88, 10/7/88, 10/8/88, 10/9/88, 10/10/88, 10/11/88, 10/12/88, 10/13/88, 10/14/88, 10/15/88, 10/16/88, 10/17/88, 10/18/88, 10/19/88, 10/20/88, 10/21/88, 10/22/88, 10/23/88, 10/24/88, 10/25/88, 10/26/88, 10/27/88, 10/28/88, 10/29/88, 10/30/88, 10/31/88, 11/1/88, 11/2/88, 11/3/88, 11/4/88, 11/5/88, 11/6/88, 11/7/88, 11/8/88, 11/9/88, 11/10/88, 11/11/88, 11/12/88, 11/13/88, 11/14/88, 11/15/88, 11/16/88, 11/17/88, 11/18/88, 11/19/88, 11/20/88, 11/21/88, 11/22/88, 11/23/88, 11/24/88, 11/25/88, 11/26/88, 11/27/88, 11/28/88, 11/29/88, 11/30/88, 12/1/88, 12/2/88, 12/3/88, 12/4/88, 12/5/88, 12/6/88, 12/7/88, 12/8/88, 12/9/88, 12/10/88, 12/11/88, 12/12/88, 12/13/88, 12/14/88, 12/15/88, 12/16/88, 12/17/88, 12/18/88, 12/19/88, 12/20/88, 12/21/88, 12/22/88, 12/23/88, 12/24/88, 12/25/88, 12/26/88, 12/27/88, 12/28/88, 12/29/88, 12/30/88, 12/31/88.

The Avenue Inc.
 per publisher

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
SW/S Klosterman Ave., 650' SE
C/L of Belair Rd., 11th District: OF BALTIMORE COUNTY
COLUMBUS CLUB OF OVERSEA, INC., : Case No. 88-428-A
Petitioner

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 29th day of March, 1988, a copy of the foregoing Entry of Appearance was mailed to Philip L. Asplen, Jr., Esquire, 917 Litchfield Rd., Baltimore, MD 21239, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333
J. Robert Haines
Zoning Commissioner

Date: _____

Mr. Charles J. Zorbach, Sr.
222 Hopkins Road
Baltimore, Maryland 21212

RE: Petition for Zoning Variance
Case numbers 88-428-A
SW/S Klosterman Avenue, 650' SE of c/l of Belair Road
11th Election District - 5th Councilmanic District
Petitioner(s): Columbus Club of Oversea, Inc.
HEARING SCHEDULED: TUESDAY, APRIL 19, 1988 at 9:00 a.m.

Dear Mr. Zorbach:

Please be advised that \$106.10 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

BALTIMORE COUNTY, MARYLAND No. 52419
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE 4/29/88 ACCOUNT 01-615 DUES,
AMOUNT \$ 106.10
RECEIVED FROM [Signature] INES
FOR [Signature] 4/29/88 sioner of
B 104-*****106101A-255-2
VALIDATION OR SIGNATURE OF CASHIER

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333
J. Robert Haines
Zoning Commissioner

MAR 22 1988

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
Case numbers 88-428-A
SW/S Klosterman Avenue, 650' SE of c/l of Belair Road
11th Election District - 5th Councilmanic District
Petitioner(s): Columbus Club of Oversea, Inc.
HEARING SCHEDULED: TUESDAY, APRIL 19, 1988 at 9:00 a.m.

Variance to permit 251 parking spaces in lieu of the required 324 spaces.

In the event that this Petition is granted, a building permit may be issued within the period of 30 days after the date of the hearing. The petitioner will, however, entertain this period for good use in this office by the date of the hearing.

BALTIMORE COUNTY, MARYLAND No. 47452
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE 4/13/88 ACCOUNT 01-615
AMOUNT \$ 100.00
RECEIVED FROM August V. Plitt, PA
FOR [Signature] 4/13/88
VALIDATION OR SIGNATURE OF CASHIER

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
County Office Building, Suite 405
Towson, Maryland 21204
494-3334

February 12, 1988

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 247, 248, 250, 251, 252, 253, 254, 255 and 256.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate II

MSF/pml-b

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. J. Robert Haines
TO: Zoning Commissioner
P. David Fields
FROM: Director of Planning and Zoning
SUBJECT: Zoning Petition No. 88-428-A

There are no comprehensive planning factors requiring comment on this petition.

P. David Fields
P. David Fields
Director

PDF:JGH:dme

cc: Ms. Shirley M. Hess, Legal Assistant, People's Counsel
File

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 1st day of February, 1988.

Petitioner Columbus Club of Oversea, Inc.
Petitioner's Attorney Philip L. Asplen, Jr.

Received by: James E. Dyer
Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

April 13, 1988

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Mr. Philip L. Asplen, Jr.
Attorney at Law
917 Litchfield Road
Baltimore, Maryland 21239

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Item No. 254 - Case No. 88-428-A
Petitioners: Columbus Club of Oversea, Inc.
Petition for Zoning Variance

Dear Mr. Asplen:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:cer

Enclosures

cc: August V. Plitt, PA - Architect
12100 Belair Road
Kingsville, Maryland 21087



Maryland Department of Transportation
State Highway Administration

Richard H. Trainor
Secretary
Hal Kassoff
Administrator

January 27, 1988

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204
Att: James Dyer

Re: Baltimore County
Columbus Club of Oversea, Incorporated
Meeting of 1/26/88
SW/S Klosterman Avenue
650' S/E of the centerline of Belair Road
Maryland Route 1
Item #254

Dear Mr. Haines:

After reviewing the submittal of a variance to permit 251 parking spaces in lieu of the required 324 spaces, the State Highway Administration-Bureau of Engineering Access Permits has the following comment.

We recommend to Baltimore County that improvements of the intersection of Belair Road, and Klosterman Avenue be performed in conjunction with this project.

These improvements include paving on the north corner of the intersection to provide a larger radius curve and to improve site distance.

This will involve the relocation of a utility pole. If you have any questions, please contact Larry Brocato of this office.

Very truly yours,

Charles J. Mills, Jr.
Charles J. Mills, Jr.
Acting Chief-Bureau of Engineering Access Permits

LB:es

cc: J. Ogle
August V. Plitt, PA

August V. Plitt
FEB 2 1988
ZONING OFFICE

My telephone number is (301) 333-1350
Teletypewriter for Impaired Hearing or Speech
363-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

Baltimore County
Fire Department
Towson, Maryland 21204-2506
494-4300

January 20, 1988

Mr. J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Re: Property Owner: Columbus Club of Oversea, Inc.
Location: SW/S Klosterman Avenue, 650' SE of c/l Belair Road
Item No.: 254 Zoning Agency: Meeting of 1/26/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals or 300 feet along an approved road in accordance with Baltimore County Standard as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *John F. O'Neill* Noted and Approved: Fire Prevention Bureau
Planning Group
Special Inspection Division

/s/

IN RE: PETITION SPECIAL EXCEPTION
34/5 of Klosterman Avenue,
650' SE of the centerline of
Belair Road - 11th Election
District
The Columbus Club of Overlea,
Inc.
Petitioner

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 86-494-X

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special exception for a community building, as more particularly described on Petitioner's Exhibit 1.

The Petitioner, by Charles Zorbach, President, appeared and testified and was represented by Counsel. Tim Walsh, a professional engineer, testified on its behalf. Numerous individuals appeared in support. There were no Protests.

Testimony indicated that the subject property, containing 10 acres and zoned D.R.5.5, is located on Klosterman Avenue, approximately 600 feet from Belair Road, and is presented unimproved. The Petitioner proposes to construct a Knights of Columbus hall containing approximately 12,000 square feet. The property was purchased from the residents of two homes across the street, a father and daughter who do not want this property to be subdivided into a residential community.

The community building would be solely for the use of the Knights of Columbus and its members, although it may be used by any local community association on request. This Knights of Columbus Council has been at the same location in Overlea since 1924 and it needs better and larger quarters. Its weekly general meeting takes place on Wednesday from 8:30 p.m. to approximately 10:30 p.m., and its weekly social meeting takes place on one of the

- 1 -

other evenings, also at the same time. Special events such as dances occur on Saturdays. The general meetings attract approximately 80 members and the social meetings attract between 25 to 50 persons. The special events, averaging 26 per year, attract approximately 200 persons. The Knights of Columbus does not advertise its hall nor does it solicit business.

Mr. Walsh testified that, in his opinion, all of the conditions delineated in Section 502.1, Baltimore County Zoning Regulations (BCZR), will be satisfied and that those conditions in Section 1B01.1.B.1.c.10, BCZR, for exemption from the Residential Transition Area (RTA) requirements will also be satisfied to the extent possible.

Although both the Department of Traffic Engineering and the Office of Planning expressed concern about potential traffic congestion at the intersection of Belair Road and Klosterman Avenue, it should be noted that the State Highway Administration entered no adverse comment even though Belair Road is a State road. It is even more important to note that the peak hours of use for the proposed private hall will be at night, well after the peak travel hours for vehicles on Belair Road, and that the expected use will not adversely impact the existing traffic congestion. Additionally, if this 10-acre site were developed with residences, there could be a greater impact to this intersection than the proposed use. Indeed, this use, by special exception, could have a lesser negative impact than many of those uses permitted as of right.

The Petitioner seeks relief from section 1B01.1.C.6, BCZR, pursuant to section 502.1, and from Section 1B01.1.B.1.c.10.

It is clear that the BCZR permits the use requested by the Petitioner in a D.R.5.5 Zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses of the vicinity. Therefore,

- 2 -

it must be determined whether the conditions as delineated in Section 502.1 are satisfied by the Petitioner.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions, as more fully described below.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1. In fact, the Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the BCZR.

Further, after consideration of the testimony and evidence presented, it is determined that the proposed community building is planned in such a way that the use will be in compliance, to the extent possible, with the RTA use requirements and that the Petitioner will maintain it as described. Certainly, the use would be compatible with the character and general welfare of the surrounding residential premises. The latter conclusion need never be questioned.

- 3 -

Pursuant to the advertisement, posting of property, and public hearing held, and it appearing that by reason of the requirements of Section 502.1 having been met and the health, safety, and general welfare of the community not being adversely affected, the special exception should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 9th day of June, 1986, that the Petition for Special Exception for a community building be and is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. Compliance with the Baltimore County Landscape Manual.

John J. Hennessy
Zoning Commissioner of
Baltimore County

AJ/srl

cc: Thomas L. Hennessy, Esquire

People's Counsel

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL
PROTECTION AND RESOURCE MANAGEMENT

11/2/87
Date

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item 8-254, Zoning Advisory Committee Meeting of January 26, 1988

Property Owner: Columbus Club of Overlea, Inc.

Location: 1/3 Klosterman Ave. SE of Belair Rd. District 11

Water Supply Metro Sewage Disposal Metro

COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.
- () Prior to new installation of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 494-3775, to obtain requirements for such installation before work begins.
- () A permit to construct from the Bureau of Air Quality Management is required for such items as spray paint processes, underground gasoline storage tanks (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Bureau of Air Quality Management is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appliances pertaining to health and safety, two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Recreational Hygiene Section, Bureau of Regional Community Services, 494-3811.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the collection of waste oil must be in accordance with the State Department of the Environment.
- () Prior to raising of existing structure/s, petitioner must contact the Division of Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 494-3775.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and transferred from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 494-3768.
- () Soil percolation tests, have been _____ must be _____
- () The results are valid until _____
- () Soil percolation test results have been _____ Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test () shall be valid until () is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.
- () Others _____

John J. Hennessy
BUREAU OF WATER QUALITY AND RESOURCE
MANAGEMENT

Baltimore County
Office of Planning and Zoning
Towson, Maryland 21204
494-3211
Norman E. Gerber
Director



July 20, 1987

Dennis F. Rasmussen
County Executive

Edward T. Walsh
August V. Pritt - Architects
12100 Belair Road
P.O. Box 306
Kingsville, MD 21087

Re: Cardinal Gibbons Knights of Columbus Council Home
5/8 Klosterman Ave E of Belair Road
M-87-199

Dear Mr. Walsh:

We have reviewed your waiver application for the above property and have determined that a waiver for the CMC (meeting/proceedings) would be within the scope, purpose and intent of the Development Regulations of Baltimore County, and is therefore approved. This development shall comply with all other applicable laws, rules and regulations of Baltimore County (Section 22-51). Should you have any questions, please contact David Fields, Acting Chief, at 494-3335.

NOTE: This waiver approval letter shall be presented by the applicant when applying for a building permit.

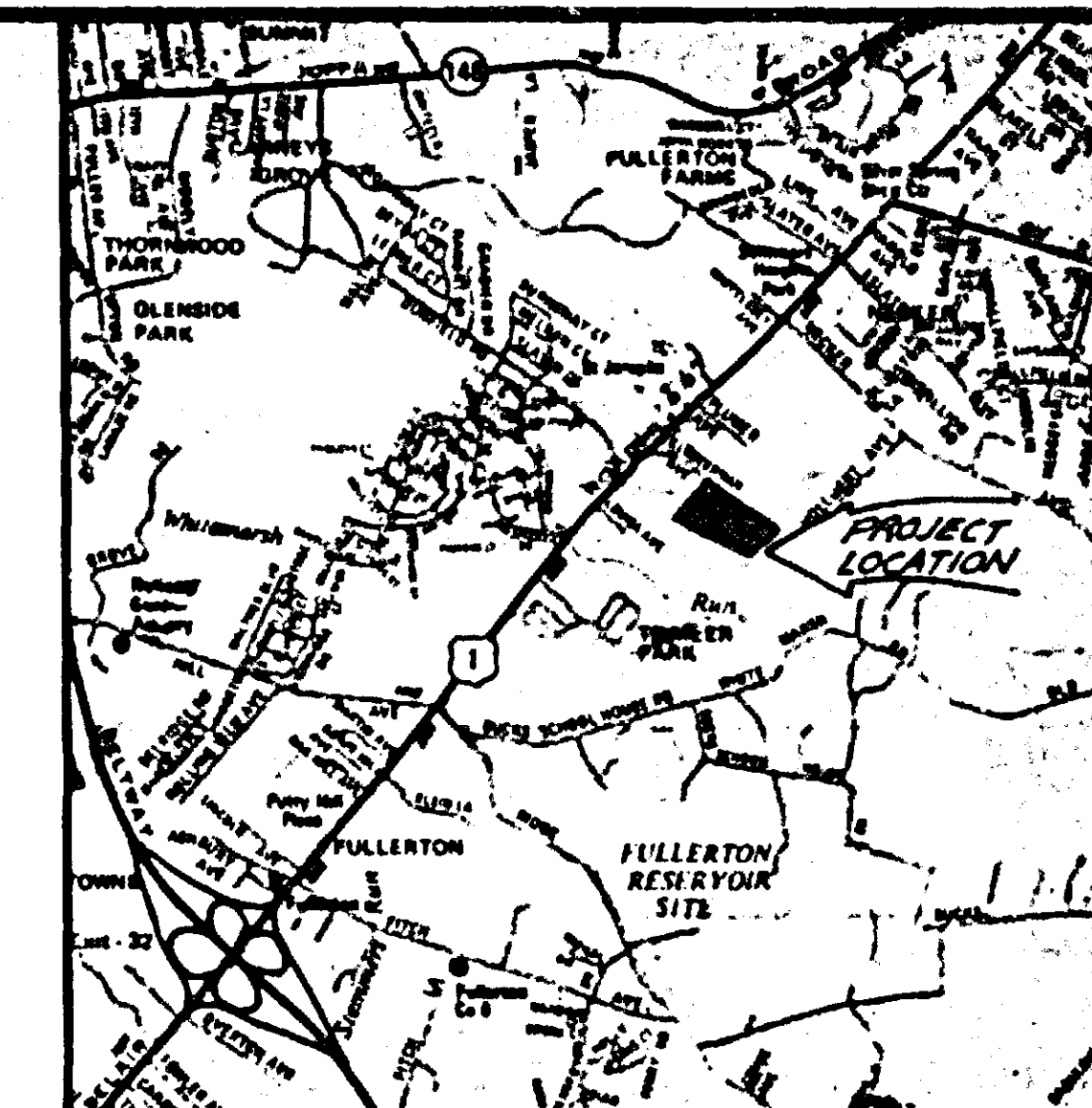
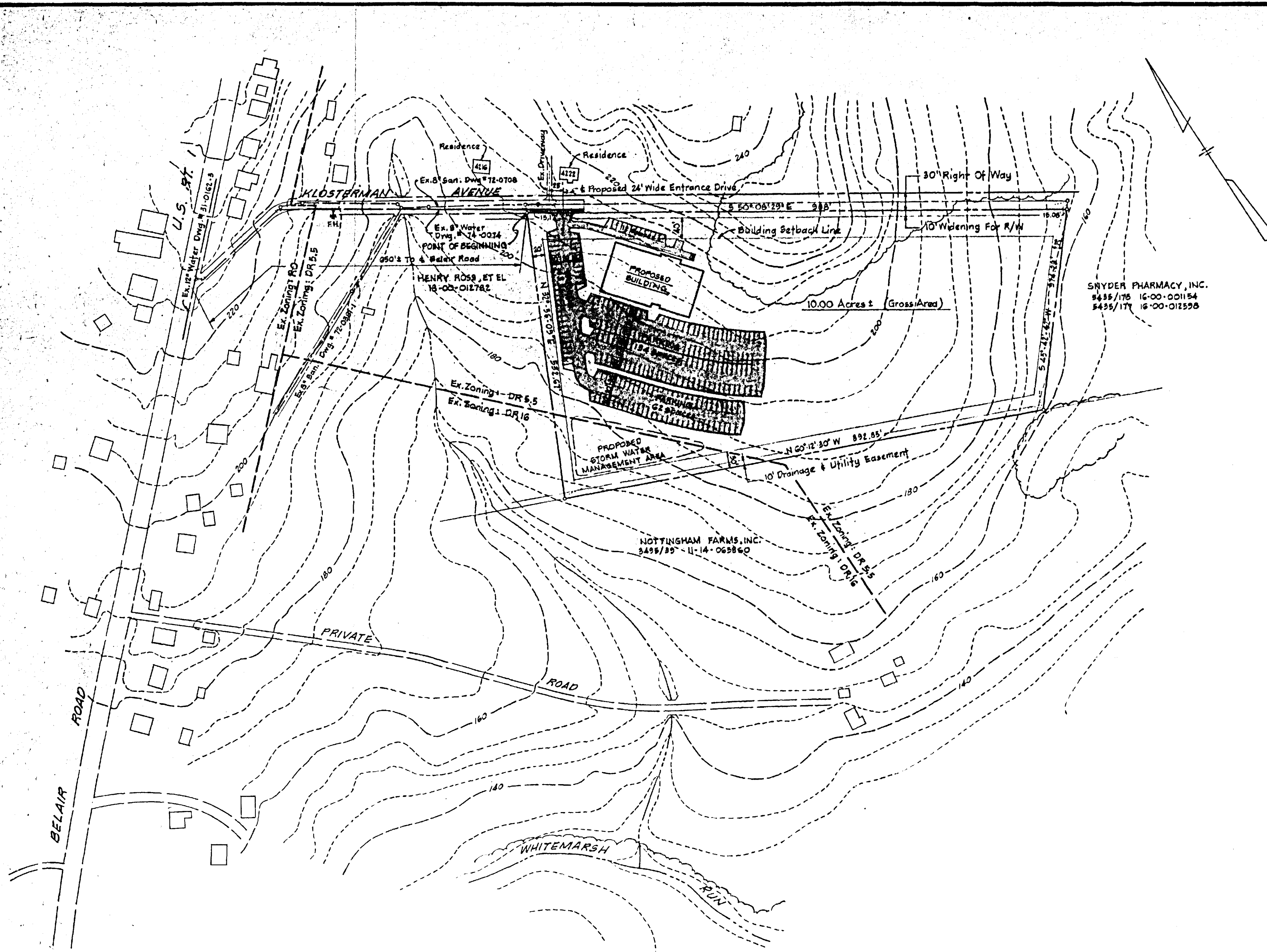
Sincerely yours,

SIGNED: *Norman E. Gerber*
Norman E. Gerber, AICP
Director of Planning and Zoning

cc: James A. Harkle
Edward A. McDonogh
File
The Columbus Club of Overlea, 7100 Belair Road, Balto. MD 21206

PETITIONER'S
(S) SIGN-IN SHEET

NAME	ADDRESS
<i>Philip Aspin</i>	<i>917 L. L. F. Rd. P.O. 21259</i>
<i>August Pritt</i>	<i>12100 Belair Rd. P.O. 21087</i>
<i>Edward Walsh</i>	<i>4301 Powell Ave 21266</i>



LOCATION PLAN
Scale: 1" = 2000'

PROPOSED BUILDING
COMMUNITY BUILDING (KNIGHTS OF COLUMBUS COUNCIL HOME)
1 STORY - 16,174 SQ. FT.

PARKING
NUMBER OF SPACES REQUIRED - 16,174 - 324
NUMBER OF SPACES PROVIDED - 231
PARKING SPACE SIZE 9'x20'

PAVING AND CURB
2" BITUMINOUS CONCRETE SURFACE COURSE
6" CRUSHER RUN STONE BASE COURSE
COMPACTED SUBGRADE
CURB FOR ENTRANCE DRIVE AND PARKING AREAS
SHALL BE BALTIMORE COUNTY STANDARD DETAIL R/22, TYPE "A".

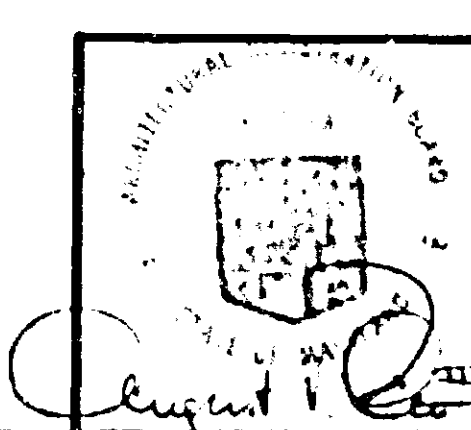
LIGHTING
PARKING LOT LIGHTING SHALL CONFORM TO THE
REQUIREMENTS OF THE BALTIMORE COUNTY ZONING
REGULATIONS.

LANDSCAPING & SCREEN PLANTING
LANDSCAPING & SCREEN PLANTING DESIGN SHALL BE IN
CONFORMANCE WITH THE REQUIREMENTS OF THE
BALTIMORE COUNTY LANDSCAPING MANUAL.

FIRE PROTECTION
DESIGN OF FIRE PROTECTION, HYDRANT LOCATIONS, ETC.,
SHALL BE IN ACCORDANCE WITH BALTIMORE COUNTY STANDARD
DESIGN MANUAL AND THE FIRE PREVENTION CODE.

OWNER / DEVELOPER
THE COLUMBUS CLUB OF OVERLEA, INC.
7100 BELAIR ROAD
BALTIMORE COUNTY, MARYLAND 21206

PLAN
Scale: 1" = 100'



AUGUST V. PLITT, PA
ARCHITECT
12100 BELAIR ROAD
KINGSVILLE, MARYLAND 21087
(301) 882-8303 768-4308

CARDINAL GIBBONS COUNCIL NO. 2521 KNIGHTS OF COLUMBUS PROPOSED COUNCIL HOME		
PLAT TO ACCOMPANY PETITION FOR ZONING VARIANCE		
11th ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND	SCALE: As Noted DATE: Dec. 28, 1997	DWG. NO. SI-1A

BALTIMORE COUNTY, MARYLAND

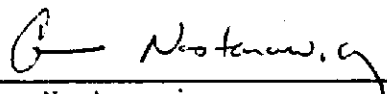
Inter-Office Correspondence

TO: Case File July 11, 1989

FROM: Ann Nastarowicz
Deputy Zoning Commissioner

SUBJECT: Case File #86-494-X
Case File #88-428-A

The site plan marked "Petitioner's Exhibit #1" in Zoning Case #88-428-A has been found to be substantially within the spirit and intent of the Baltimore County Zoning Regulations and, therefore, the increase in building area which differs from the site plan in Zoning Case #86-494-X is permitted.


Ann Nastarowicz
Deputy Zoning Commissioner

JLL:scj

NE BF
86-494-X
88-428-A

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Al Wirth - SWM DATE: June 30, 1989
Bob Bowling - Dev. Eng. (3)
Gary Kerns - Current Planning
Rahim Famili - Traffic Engineering
Rocky Powell - DEPRM
Larry Pilson - DEPRM
Dave Flowers - DEPRM
Carl Richards - Zoning
Capt. Kelly - Fire Department
Pat Kincer - Rec. & Parks
Chuck Weiss - Sanitation
Larry Brocato - SHA

FROM: Tom Watson
Bureau of Public Services

SUBJECT: Knights of Columbus
Council Home
Plitt & Assoc. - 592-5303

RECEIVED

JUL 5 1989

ZONING OFFICE

To John L.
7/6/89 uo02


The subject property was granted a waiver of CRG meeting by the Office of Planning & Zoning. However, CRG approval signatures must be obtained.

Please review the attached plan for concurrence with current development regulations and give us your approval or comments by July 14, 1989. Nonresponsiveness by the aforementioned date is considered to be concurrence by your office of the plan.

List on plan a zoning history of the site stating the case number, what was granted or denied and any restrictions.

State on plan that all signs will comply with S.413.1
B.C.Z.R.

CTW:bje
Attachment (Blue) commercial checklist information is required to file
cc: File for building permits.


John L. Lewis
Planning & Zoning Associate III